



TOWN OF ROCKY HILL MEETING – ACTIONS TAKEN

NAME OF PUBLIC BOARD OR COMMISSION	Planning and Zoning Meeting
DATE OF MEETING	February 4, 2015
PERSON PREPARING	Eileen A. Knapp, Recording Secretary

MEMBERS PRESENT

1. Dimple Desai, Chairman	2. Victor Zarrilli, Secretary
3. Giuseppe Aglieco, Commissioner	4. William O’Sullivan, Alternate
5. Also: Kimberley Ricci, Town Planner	6.
7.	8.
9.	10.

MEMBERS ABSENT

1. Michael Casasanta, Alternate	2. Kevin Clements, Vice Chairman
2. Carmen D’Agostino, Commissioner	

1st ACTION ☒ Passed ☐ Failed ☐ Tabled

A MOTION was made by Commissioner Zarrilli to close the Public Hearing for proposed Amendments to the Rocky Hill Zoning Regulations, **Town of Rocky Hill**, proposing to amend/add the following language:

Add to Section 2.2 DEFINITIONS:

Licensed Medical Marijuana Dispensary (Dispensary): A pharmacist licensed pursuant to Chapter 400j of the Connecticut General Statutes, who the Department of Consumer Protection has licensed to acquire, possess, distribute and dispense medical marijuana pursuant to CGS Section 21a-408 to 21a-408q inclusive of an ‘Act Concerning the Palliative Use of Marijuana’ and who is located on the premises of a pharmacy licensed by the Connecticut Commission of Pharmacy

Licensed Medical Marijuana Producer (Producer): A person or organization licensed by the Connecticut Department of Consumer Protection as a producers under CGS 21a-408-1 through 21a-408-70, whose purpose is to cultivate marijuana for palliative use, including selling, delivering transporting and distributing such marijuana, but only to State licensed dispensaries

under Sections 1 through 15, inclusive of the ‘Act Concerning the Palliative Use of Marijuana.’

Add to Section 4.1.4 Business Park District:

Special Permit Uses: N. licensed medical marijuana producer with Section 7.13

Special Permit Uses: O. licensed medical marijuana dispensary with Section 7.13

Add to Section 4.1.1 Regional Commercial District

Special Permit Uses: S. licensed medical marijuana dispensing facility with Section 7.13

Add to Section 4.1.2 Commercial District

Special Permit Uses: R. licensed medical marijuana dispensing facility with Section 7.13

Add Section 7.13 MEDICAL MARIJUANA

A. Licensed medical marijuana producers (Producer) are allowed in Business Park Zoning Districts with a Special Permit/Site Plan under Section 8.3 and meeting the following regulations:

1. The property on which a Producer is located shall not be permitted within 200 feet of any portion of a property on which a duly organized school, municipal park/recreational facility, place of worship is located; or within 200 feet of a boundary of a residential zoning district (as designated on the Official Zoning Map).
2. The property on which a Producer is located shall not be permitted within 1,000 feet of any portion of a property on which another Producer is located.
3. Marijuana and marijuana paraphernalia and products made thereof shall not be clearly visible from the exterior of the production facility.
4. Producers shall comply with Connecticut General Statutes Section 21a-408 et seq. and the Regulations of State Agencies Sections 21a-408-1 to 21a-408-70 inclusive, both of which as may be amended from time to time.

B. Licensed medical marijuana dispensaries (Dispensary) are allowed in Business Park and Commercial Zoning Districts with a Special Permit/Site Plan under Section 8.3 and meeting the following regulations:

1. The property on which a Dispensary is located shall not be permitted within 1,000 feet of any portion of a property on which a duly organized school, municipal park/recreational facility, place of worship is located; or within 200 feet of a boundary of a residential zoning district (as designated on the Official Zoning Map).
2. Marijuana and marijuana paraphernalia and products made thereof shall not be clearly visible from the exterior of the dispensary facility.
3. Dispensaries shall comply with Connecticut General Statutes Section 21a-408 et seq. and the

Regulations of State Agencies Sections 21a-408-1 to 21a-408-70 inclusive, both of which as may be amended from time to time.

Seconded by Commissioner O'Sullivan. All were in favor, MOTION CARRIED UNANIMOUSLY.

2nd ACTION ☒ Passed ☐ Failed ☐ Tabled

A MOTION was made by Commissioner Zarrilli to close the public hearing for Special Permit Application, for **Alyssa Heald, proposing** to use approximately 3,400 square feet for the relocation of a Crossfit Gym in Units E1, E2 and E3 of Shunpike Business Center at 1275 Cromwell Avenue in a BP-Business Park Zoning District/. Seconded by Commissioner O'Sullivan. All were in favor, MOTION CARRIED UNANIMOUSLY.

3rd ACTION ☒ Passed ☐ Failed ☐ Tabled

A MOTION was made by Commissioner Zarrilli to approve the Special Permit Application, for **Alyssa Heald, proposing** to use approximately 3,400 square feet for the relocation of a Crossfit Gym in Units E1, E2 and E3 of Shunpike Business Center at 1275 Cromwell Avenue in a BP-Business Park Zoning District. Seconded by Commissioner O'Sullivan. All were in favor, MOTION CARRIED UNANIMOUSLY.

4th ACTION ☒ Passed ☐ Failed ☐ Tabled

A MOTION was made by Commissioner Zarrilli to adopt the timeframe and meeting schedule for **2015 Plan of Conservation and Development** completion and adoption;. Seconded by Commissioner O'Sullivan. All were in favor, MOTION CARRIED UNANIMOUSLY.

5th ACTION ☒ Passed ☐ Failed ☐ Tabled

A MOTION was made by Commissioner Zarrilli to approve the Proposed Amendments to the Rocky Hill Zoning Regulations, **Town of Rocky Hill**, proposing to amend/add language concerning Medical Marijuana, Section 2.2 Definitions, Medical Marijuana Dispensary and Producer; Section 4.14 add Medical Marijuana Dispensary and Producer to the Business Park District as Special Permit Uses' Section 4.1.1 Regional Commercial District and Section 4.1.2 add Medical Marijuana Dispensary as a Special Permit use; Add Section 7.13 Medical Marijuana. Seconded by Commissioner O'Sullivan. All were in favor, MOTION CARRIED UNANIMOUSLY.

6th ACTION ☒ Passed ☐ Failed ☐ Tabled

A MOTION was made by Commissioner Zarrilli to schedule a public hearing for Special Permit Application, for **Alyssa Heald**, proposing to use approximately 3,400 square feet for the relocation of a Crossfit Gym in Units E1,E2 and E3 of Shunpike Business Center at 1275 Cromwell Avenue in a BP-Business Park Zoning District;

B. Review and adopt timeframe and meeting schedule for 2015 Plan of Conservation and Development completion and adoption;

C. Proposed Amendments to the Rocky Hill Zoning Regulations, Town of Rocky Hill, proposing to amend/add language concerning Medical Marijuana, Section 2.2 Definitions, Medical Marijuana Dispensary and Producer; Section 4.14 add Medical Marijuana Dispensary and Producer to the Business Park District as Special Permit Uses' Section 4.1.1 Regional Commercial District and Section 4.1.2 add Medical Marijuana Dispensary as a Special Permit use; Add Section 7.13 Medical Marijuana; (See Item 1A on this agenda);

D. Proposed Zoning Regulation Amendments, Town of Rocky Hill, proposing to modify the Rocky Hill Zoning Regulations:

1. Remove Section 4.1.3 Site Plan Uses D. Mixed-uses, in the OP – Office Park Zoning District;

2. Modify the language in Section 4.1.2 Site Plan Uses F from “mixed commercial and residential uses” to “mixed use,” in the C-Commercial Zoning District;

3. Modify Section 4.3.5 Add : This Section is not applicable to Mixed Use Developments approved under Section 7.13

4. Add to and/or replace existing definitions within Section 2.2 DEFINITIONS:

Affordable Housing: housing for which people and families pay thirty percent (30 %) or less of their annual income, where such income is less than or equal to the area mean income for the municipality in which such housing is located, as determined by the United States Department of Housing and Urban Development

Affordable Housing Set Aside: ten (10) percent of housing units in a mixed use development, are to be designated as “affordable housing,” as defined herein, when the number of residential units on site is ten (10) or more total

Apartment: a suite of rooms forming one residence or dwelling unit

Apartment Building: a building containing several apartment style dwelling units for lease

Duplex Residence: two joined residential dwelling units

Mixed Use: a combination of (i) a commercial use or uses permitted in, and meeting the applicable standards of, the underlying district, which use or uses shall included retail, (ii) residential use; and (iii) recreational, cultural, civic and/or educational uses not limited to occupants and guests of the residential component. All categories of use shall be substantial elements of the overall project, shall be complementary and shall be physically and functionally integrated. The project shall be designed to facilitate and encourage internal and external pedestrian access to the extent reasonably practicable

Multifamily Housing: allowed as a component of a mixed use development is a classification of housing where multiple separate housing units for residential inhabitants are contained within one building, with or without party walls or several buildings within one complex. A common form is an apartment building. Sometimes units in a multi-family residential building are condominiums, where typically the units are owned individually rather than leased from a single

apartment building owner.

5. Add Section 7.14 Mixed Use Development

The Commission may grant a Special Permit and Site Plan approval for a Mixed Use Development in a C-Commercial Zoning District, provided the proposed development meets the applicable definitions and requirements under this Section 7.13, 2.2, 8.3 and 8.4 of these Regulations as may be amended.

7.14 A. Height and Area Requirements:

1. **Building Height:** If more than one building is proposed within a mixed use development, the buildings should be at varying heights. Building height is not to exceed 45 feet or 4 stories.
2. **Building Setbacks:** Front yard setback can range between 10 feet and 35 feet. Applicants, in writing, can request a front yard setback less than 10 feet providing the change would not create a sightline hazard or other hazard; and in front of the building vegetative elements are incorporated.

Side Yard and Rear Yard Setbacks are to meet those of the underlying district.

3. **Minimum Impervious/landscaped area:** There is to be a minimum of 30% impervious area on site distributed throughout the site. Vegetative buffering is to be provided alongside and rear property boundaries

7.14 B Parking Requirements/Traffic:

Shared parking is required. The Applicant, in writing, shall the present the proposed uses in general within the proposed development, their parking needs, and requirements as well as the overall parking and circulation plan.

7.14 C Multifamily Housing/Affordable Housing:

Multifamily housing is allowed in a mixed use development in the form of rental units and/or condominium units. Affordable housing units as defined in Section 2.2, shall be required where at least ten (10) residential units are proposed as a part of a mixed use development. In mixed use developments which contain ten (10) residential units or more, ten (10) percent of the those units are to be designated as “affordable” by deed restriction/lease for a period of thirty years.

7.14 E In addition to other criteria contained elsewhere in these Regulations, applications for a Special Permit and Site Plan approval for a mixed use development shall comply with the following:

1. Special Permit Requirements in Section 8.3.
2. Site Plan Requirements in Section 8.4
3. Properties are to be served by public water and public sewer;
4. Public sidewalks are to be provided along the street frontage and throughout the development with areas of refuge such as but not limited to benches, other areas for sitting;
5. Commercial Vehicles as defined in Section 2.2 are prohibited from overnight parking unless associated with an on-site commercial business and appropriately screened from the public street and on site and nearby residential units;

6. The design guidelines as developed for the Silas Deane Highway, The Silas Deane A Vision for Reinvestment. Action Items and Design Guidelines * is to be considered with respect to project and building design.

*The Silas Deane A Vision for Reinvestment Action Items and Design Guidelines, Wethersfield and Rocky Hill, Connecticut, prepared by Fuss & O'Neill in association with Ferrero Hixon Assoc., dated April 2006.

Seconded by Commissioner O'Sullivan. All were in favor, MOTION CARRIED UNANIMOUSLY.

7th ACTION ☒ Passed ☐ Failed ☐ Tabled

A MOTION was made by Commissioner Zarrilli to adjourn the meeting at 7:28 p.m. Seconded by Commissioner Aglieco. All were in favor, MOTION CARRIED UNANIMOUSLY.

**DRAFT MEETING MINUTES TO BE AVAILABLE WITHIN SEVEN CALENDAR DAYS FOR
REGULAR MEETINGS AND WITHIN SEVEN WORKDAYS FOR SPECIAL MEETINGS.**